



PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re the Application of:

MILLER et al.

Serial No.: 10/082,988

Filed: February 26, 2002

Confirmation No.: 7053

Atty. File No.: 45568-00210

For: "FREQUENCY RESPONSE
EQUALIZATION SYSTEM FOR
HEARING AID MICROPHONES"

) Group Art Unit: 2643

) Examiner: NI, Suhan

**RESPONSE TO RESTRICTION
REQUIREMENT**

<p>CERTIFICATE OF MAILING</p> <p>I HEREBY CERTIFY THAT THIS CORRESPONDENCE IS BEING DEPOSITED WITH THE UNITED STATES POSTAL SERVICE AS FIRST CLASS MAIL IN AN ENVELOPE ADDRESSED TO COMMISSIONER FOR PATENTS, P.O. BOX 1450, ALEXANDRIA, VA 22313-1450 ON <u>July 12, 2005</u></p> <p>MARSH FISCHMANN & BREYFOGLE LLP</p> <p>BY <u>Bobby D. Simon</u> Bobby D. Simon</p>
--

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

In an Office Action dated May 17, 2005, the Examiner issued a Restriction Requirement with regard to the above-identified patent application. Enclosed herewith is a petition for a one-month extension of time, thereby extending the time period for response from June 17, 2005 to July 17, 2005, as well as a check in the amount of \$60.00 as the fee for such extension.

Generally, the Examiner indicated that Claims 1-34 and Claims 35-42 were distinct inventions. Applicants hereby elect to prosecute Claims 1-34 in this patent application. However, Applicants respectfully reserve the right to pursue Claims 35-42 in a subsequent divisional/continuation application.

Although the Applicant believes that no fees are due for filing this Response to Restriction Requirement, please charge any fees deemed necessary to Deposit Account No. 50-1419.

Respectfully submitted,

MARSH FISCHMANN & BREYFOGLE LLP

By:



Russell T. Manning

Registration No. 51,260

3151 South Vaughn Way, Suite 411

Aurora, Colorado 80014

(720)562-5502

Date: July 12, 2005